S.B. Cr. Bail Application No. 4736/2007
(Hoshiyar Singh Vs. State of Rajasthan)

Date of order : 27.09.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. H.S.Shrimali for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioner that initially the FIR was lodged by the mother of the deceased against father-in-law and other persons, however, subsequently, the case has been developed against the present petitioner.

Learned public prosecutor submits that Rahul brother of the deceased had been living with the deceased and her husband and he has witnessed the occurrence earlier also, he stated that after consuming liquor, the petitioner used to give beatings to the deceased and she was not allowed to go to the parents house. The occurrence of 20th June, 2007 and has been narrated in the statement of witness. In his presence, it is alleged that the petitioner gave beating to the deceased. Similar is the statement of Roshni Devi who also stated that when the

deceased Alka met her she stated that her husband used to consume liquor and give beatings to her and he may kill her at some time.

Be that as it may, in view of the statements of these witnesses, in my view, it is not a fit case to release the petitioner on bail. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed.

(H.R.PANWAR), J.

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